

LIABILITY DENIED BY NIBLEY IN U. S. LAND LITIGATION

Announcement that the government had filed a suit for \$685,943.26 against the Grand Ronde Lumber company came like a thunder bolt to C. W. Nibley, president, according to a statement to The Journal at the Hotel Portland, where he is staying for a few days.

"I came to Portland to visit my son, Alexander, who is also named in the complaint," he said. "Little did I think I was walking right into something like this. The peculiar thing of it all is that I should have been mentioned as a conspirator, when I am not guilty. I see by the papers that I am not accused of making any fraudulent entries myself upon the land. That is right. I didn't take up any of this land, but neither did I encourage anyone else or hold out any promises to them if they took up land."

PURCHASE EXPLAINED
Nibley explained how Frank S. Murphy of Salt Lake and he and his son had purchased the lumber company outright from the original owners in 1902. "At that time there was nothing mentioned about any fraudulent entries on any of the land. We purchased the lumber company and its property as a business proposition. Since that time we have bought a number of timber claims, but under no prearranged scheme which in any way could be construed as fraudulent."

Nibley said a secret service investigator called upon his son and also on a railroad man who took up a timber claim

in the Grand Ronde valley about two years ago and asked them several questions. Nibley said he learned at that time that the government was making an investigation.

"I spoke to the company's lawyer about it, and he assured me that the title to the land was clear, so I thought nothing more of it," he said. Nibley said he was nominally president of the company because he was the largest stockholder, but the management of the mill at Ferry is left to Earl and Elmer Stoddard, who also own considerable stock inherited from their father. Earl Stoddard is secretary of the company. The capacity of the mill is about 80,000 feet a day.

RESPONSIBILITY DENIED
Nibley said the only possibility of the government being able to have a fraud case would be to take the facts before he purchased the concern. "If something wrong was done 25 or 30 years ago, before I knew anything about the business, the government cannot prosecute me or any of my employees," he said.

The complaint filed Monday in the federal court by Assistant United States Attorney John Veatch charges the present owners, original owners and a large number of stockholders and employees with conspiring to defraud the government out of 24,000 acres of timberland. The complaint cites 193 alleged fraudulent entries.

Alexander Nibley is a resident of Portland and has offices in the Northwestern Bank building.

Deputy United States Marshal Willis was not aware of Nibley's presence in the city Wednesday, so he left on the night train for Eastern Oregon to find the president or secretary of the concern. Nibley said Willis would find the secretary when he arrived at the mill.

**Letters Are Read
In Auditorium Case**

Letters bearing on various phases of construction were read into the record

at the continued hearing Wednesday night in the council chambers before The Auditorium claims committee, where evidence is being taken to show the extent of the city's moral obligation to pay claims amounting to about \$76,900 over the contractual agreements. Another hearing will be had Thursday night.

Chamber Directors Favor Changes in City Building Code

President Van Duzer was authorized by the board of directors of the Chamber of Commerce, meeting Wednesday, to appoint a committee to make recommendations for changes in the city building code. A new building ordinance, to comply with the provisions

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GOODYEAR



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